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COLONEL JOHN MARSHALL

W. S. OLDHAM

The following sketch is not written entirely from my personal recollections of Colonel Marshall. When I knew him I was merely a gawk of a boy, while he was a mature man. I was often in his office and listened to his conversations with friends on the political and other topics of the day, and I recognized that he was a very entertaining talker, but I did not fully appreciate his scholarly attainments, his erudition and his great mental endowments. I obtained my data principally from various conversations that I had in years gone by with three of his personal friends and political associates, to wit: James P. Henderson, of Houston, and Francis R. Lubbock, and William M. Walton, of Austin. All three were capable, reliable, prominent, intellectual gentlemen. The first two were governors of the State; the third, Colonel Walton, now living in Austin, was attorney general of the State and has long been recognized as one of the most learned lawyers and polished orators of Texas.—Author's note, Austin, Texas, March 24, 1913.

Colonel John Marshall was born in Virginia, where he grew to manhood, then he concluded to make his home in and grow up with the young State of Mississippi. He married Miss Anna P. Newman in 1850, daughter of a wealthy cotton planter of Jefferson County, Mississippi. They had three children; two of them survived their parents. The daughter, Clara, became the wife of this writer in 1873. The son, Hudson B. Marshall, is now a citizen of Austin, and has a picturesque mountain farm near the city, and is a recognized authority on Angora goats and bee culture.

Little is known about Colonel Marshall's life prior to his moving to Mississippi. He was a silent man concerning matters which touched him personally, and his private affairs or early life history was known only to those who were his most intimate and confidential friends.

Before coming to Texas he lived at Jackson, Mississippi, and edited *The Mississippian*. He was the friend and compeer of Jefferson Davis, John A. Quitman, the Yergers, Guions, Sharkies, George and other noted men of that day and time.

In 1852 he determined to make Texas his future home. He

located at Austin and purchased a half interest in the *State Gazette*.¹ The father of the writer owned a half interest in that paper from 1855² to 1858, but Colonel Marshall was the principal editor, and an aggressive editor he made.

I remember that he was rather an undersized man, about five feet seven inches high, spare made, fair complexion, aquiline features and an eye like an eagle's. He dressed always in black, and his attire was as neat as that of a Bulwer-Lytton. He was of quick, energetic motion and action; was very temperate in his habits, both eating and drinking; he never touched liquor of any kind. He always rose at daylight and made his way to the river, where he took a plunge every morning, winter and summer. He never indulged in the sport of fishing or hunting, but was strictly business all the time. He was very cordial in his friendships, but rather exclusive. He was a gentleman of courtesy even in his maddest humor, and he did not master his temper like a Socrates.

¹Colonel Marshall did not come to Texas until 1854 as following extracts from the *State Gazette* will indicate. The *Gazette* of May 27, 1854, gives notice that John Marshall has purchased the interest of J. W. Hampton; he did not assume control until two months later.—EDITORS.

"The present number closes my connection with the *Gazette*. I have disposed of my interest in the office to Gen. John Marshall, formerly editor of the *Mississippian* at Jackson, Mississippi, and the paper will in future be conducted by Messrs. Marshall & Scurry, as editors and proprietors."—(*State Gazette*, May 27, 1854, volume 5, number 40.)

"As Gen. Marshall will be absent from the city for a few weeks in the transaction of business connected with the office, Mr. Hampton will continue at his post until the return of his successor."—(*Ibid.*, May 27, 1854.)

"Having commenced in this number our Editorial duties, we return our sincere thanks to the press generally in this and other States, for the generous, if too flattering, marks of their favor. Our Democratic antecedents being well known, we have only to say that we shall endeavor to make the *Gazette* worthy of its position and patronage throughout the State. John Marshall."—(*Ibid.*, July 29, 1854.)

²Williamson S. Oldham's connection with the *State Gazette* dates from August, 1854, only a few months after Colonel Marshall had purchased J. W. Hampton's interest.—EDITORS.

"With this issue, my connection with the *Gazette* ceases . . . W. R. Scurry."—(*State Gazette*, August 19, 1854, volume 5, number 52.)

"Having purchased the interest of Major Scurry in the *State Gazette*, I shall, for the future, be associated with the editorial control . . . W. S. Oldham."—(*Ibid.*, August 19, 1854.)

"My connection with the *State Gazette* will not change its political complexion. Being a Democrat of the strictest sect, I conceive the only safeguard of the rights of the States is in a strict adherence, by the general government, to the powers specifically delegated by the constitution, and those absolutely necessary to carry into effect those delegated powers."—(Oldham's Salutory, *Ibid.*, August 19, 1854.)

He had one peculiarity that is common to many studious and thoughtful men, that frequently caused him embarrassment and his friends some amusement. He was very absent minded. When engrossed in thought upon any question or subject matter, his whole mind was concentrated on that subject and he was oblivious of all surroundings. On one occasion, on a bright summer day, he rose suddenly from his writing desk at his office and started off in a brisk walk down to the city. He had proceeded the distance of a little more than a block when he met a friend who asked him, "Where is your hat?" He reached up and discovered that he was bare-headed. He was an excellent Latin scholar and could read and write Spanish, though he did not speak the language. After coming to Texas he read law and obtained his license as an attorney from the supreme court, not, however, for the purpose of practicing that profession, but, like Lord Macaulay, he thought it was the duty of every gentleman to gain a knowledge of the laws of his country. He was not religious, but was classed as a moral man, yet when excited and wrought up, while expressing his feelings, he would at times italicize his remarks with very emphatic cuss words.

I remember a favorite saddle horse he owned. That horse seemed to be his greatest joy. It was the largest I ever saw, and the fastest pacer and the ugliest brute. It would not be a great exaggeration to say it was a perfect camel of a horse, and yet he was as proud of that beast as a little tot of her first Christmas doll. Another peculiarity of his I will mention, though some may doubt the truthfulness of my statement. I have read letters written by him to his wife when he was absent from home, and the tender expressions and affectionate utterances therein contained proved conclusively that though married he had not ceased to be a devoted lover.

When Colonel Marshall commenced his career at Austin, he did not climb by slow degrees the ladder that led to his enviable position, but seemingly almost at a single bound he reached the head and front of the Democratic party and held that place until the war of 1861 commenced. It was his prerogative almost from the beginning to ride upon the whirlwind and direct the storm of political commotion, to sit in the high place of power, or rather influence, and mould the destiny of Texas Democracy. His paper

was the organ, the monitor, of that party until the war began, when he laid down his pen and took up his sword. It was Marshall who caused the convening of the first State Democratic convention in Texas.³ It met at Waco in 1857, and nominated as its candidate for governor Hardin R. Runnels to oppose Sam Houston, who was the leader and candidate of the Know Nothing or American party. And the strenuous opposition, and the crushing, blasting denunciations of the *State Gazette*, more than any other cause or causes, procured the defeat of General Houston on that occasion, and made the hero of San Jacinto ever afterwards hate John Marshall with all the intensity with which the "devil hates holy water."

Colonel Marshall was an accomplished man. His mind was a vast magazine admirably arranged. Everything was there, and everything was in its place. His judgment on men and on books had been often and carefully tested and weighed, and had been committed each to its proper receptacle in the most capacious and accurately constructed memory. One could hardly ask for anything in history, biography or general literature that could not be found in that immense storehouse of knowledge. The article which you required was not only there; it was ready; it was in its own proper compartment; in a moment it was brought down, unpacked and displayed. He was a charming conversationalist, and he shone to best advantage when seated with only one or two friends, with whom he would squander at times wit and pleasantry with the profusion of Rabelais. In his editorials reason penetrated and, if I may venture on the expression, made the subject matter red hot with passion. He was not an orator but a writer; he let fall lightning strokes that blazed with fury, and logic that fell all around a subject or individual, if an individual was the object of attack. He knew how to illuminate what was dark in a question by throwing upon it a condensed light, and he seemed to be able to penetrate the human heart and to reveal the secret motives which actuated the conduct of men and expose

³Democratic conventions met in Texas in 1846, 1848, 1852, 1853, 1854, 1855, and 1856. Up to 1885 the action of the conventions was limited to the adoption of platforms. The one of 1856 nominated candidates for treasurer, comptroller, and attorney-general. The one of 1857 was the first to nominate candidates for governor, lieutenant-governor, and commissioner of the general land office.—EDITORS.

them without mercy. In his editorials his witty epigrams were flashing and bright; his ridicule was terrible. His sarcasm, like that of John Randolph of Roanoke, was withering. He was a holy terror to political demagogues and frauds. If, instead of living in the far away sparsely settled State of Texas, his home had been in one of the great cities of the Union, his fame as a writer would have been rivaled only by such men as Horace Greeley of New York, George D. Prentice of Louisville, and William L. Yancey of Alabama.

During our present advanced day of enlightenment, you know, if one feels that he has been libeled or outraged by a newspaper, he calls upon the editor for an apology. Promptly in the next issue of the paper the apology is printed in small type and placed down in the southeast corner of an advertising page, and the trouble is amicably settled. But in those days—as some would say, semi-civilized days—those days that I am writing about, editors did not confine their fighting to paper and lead pencils, but they were often called upon to back their editorials with the dueling pistol or revolver, and they generally cheerfully responded. On one occasion Colonel Marshall and Judge A. B. Norton, who edited the *Southern Intelligencer*, had reached the pistol stage of their controversy. They could not fight a regular duel in Texas, as that under the law would disfranchise them, but a duel must be fought, honor demanded it; their friends expected it. So they agreed to meet at Tallequah, in the Indian Territory. It was a terrible trip in those days; no railroads, no automobiles, no turnpike roads, and no bridges spanned the many streams. Colonel Marshall reached the place where they agreed to argue their case with dueling pistols, and spent one day on the intended battleground, but Judge Norton was arrested at Bonham, Texas, on the border of the State, and the duel prevented.

On another occasion Colonel Marshall and one Dr. Phillips, a prominent citizen of Austin, appealed from the newspaper controversy to the gage of battle. They had a street fight on Congress Avenue, between Seventh and Eighth Streets. On that occasion Marshall showed the gallantry and chivalry of a knight of the Crusades—the politeness of a Chesterfield. With his pistol pointed in the air, he received the first two shots from Dr. Phillips, while he, Marshall, tipped his hat to a woman who was passing,

possibly in range, and waited until she passed to safety. Then they advanced from opposite sides of the Avenue, firing as they came. They emptied their revolvers; then shot their Derringers; then like Homer's Trojan heroes they picked up rocks and hurled them at each other until a huge, lone constable, a Mr. McAnally, reached them, seized each combatant by the collar and held him at arm's length until a crowd rushed up and separated them. Fortunately neither gentleman was seriously injured; but they were both very willing souls.

When the Civil War commenced, Colonel Marshall did not adopt the course pursued by the majority of editors—remain at home and with his “gray goose quill” stir up the patriotism of others and urge them to the front—but he said, “He wished to defend with the sword the principles he advocated with his pen.”

As stated before, when he lived in Mississippi, he had been a personal friend and political supporter of Jefferson Davis; so he went to Richmond, stated his wishes to President Davis, who promptly appointed him lieutenant-colonel of the Fourth Texas Infantry. John B. Hood was colonel. Soon Hood was promoted to the rank of brigadier general, and Marshall became colonel of the regiment. He had no opportunity to prove that he possessed any military talent, as his duties consisted merely in executing the general routine of camp life, such as drilling, guard mounting, dress parade and occasional marching. I heard of an amusing incident that occurred during one of those marches. On a cold, frosty morning the command reached a wide stream; there was neither boat nor bridge; the men halted. Colonel Marshall rode up to the front and asked, “Why this halt?” Someone answered, “How are we to cross this stream?” He replied, “What! Are you willing to face Federal bullets, yet afraid of a little cold water? Forward!” The boys still hesitated, and one yelled out, “Colonel, suppose you get down and lead us across, and see how you like it yourself.” He immediately sprang from his horse, handed his bridle rein to the adjutant, and walked into the water waist deep and said, “Follow me.” This settled the cold water question; the men gave him a rousing cheer and rushed after him.

Like the heroic Warren at Bunker Hill, Marshall was killed in his first battle, in the seven days' fight around Richmond, June,

1862. In that series of engagements, Gaines' Mill was the key to the enemy's lines. If that was lost, all would be lost. It was fortified with a double row of earthen breastwork, that bristled with Enfield rifles and frowned with both heavy and light artillery. Here two Confederate brigades had been repulsed. Hood's Texas Brigade was then ordered to storm the position, which they did successfully, but the Fourth Texas lost fully half its members in killed and wounded. Colonel Marshall, who refused to dismount from his horse and go into the charge on foot, as other field officers did, was among the slain, shot through the forehead. Generals Lee and T. J. Jackson rode over the ground shortly afterwards and, while viewing the havoc made by the guns of the foe, Jackson exclaimed, "These men were truly soldiers." Colonel Marshall was buried in the cemetery at Richmond.

Thus this man with knightliest head and tenderest heart, with harness on, with crest that was never lowered and escutcheon that never knew a stain, became a martyr while defending with his sword the cause he so ably advocated with his pen. And when the spirit of that gallant man winged its flight to the great beyond, it could be truly said of him, that he was an admirable type of the Old South—a man, who in life had never turned his back on a friend, or failed to face a foe.